



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 29 2007

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

George Robinson
Ag Section Manager
Idaho State Dept of Agriculture
P.O. Box 7723
Boise, ID 83707

Subject: Special Local Need Registration (control lygus bugs, weevils, aphids & spider mites on alfalfa & clover grown for seed)
Brigade 2EC Insecticide/Miticide
EPA Registration No. 279-3313
EPA SLN No. ID070009
Your Submission Dated May 22, 2007

Dear Mr. Robinson:

This will acknowledge receipt of your notification dated May 22, 2007 to this Agency of amended registration, pursuant to section 24(c) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as follows:

Product:	Brigade 2EC Insecticide/Miticide
EPA Registration No.:	279-3313
EPA SLN No.:	ID070009
24(c) Registrant:	FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153

If you have any questions, please call BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

BeWanda Alexander for
George T. LaRocca

Product Manager 13
Insecticide Branch
Registration Division (7505C)



United States Environmental Protection Agency
Office of Pesticide Programs
Registration Division (TS-767)
Washington, DC 20460

**Application for/Notification of State Registration
of a Pesticide To Meet a Special Local Need**
(Pursuant to Section 24(C) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as Amended)

For State Use Only

Registration No. Assigned
ID-070009

Date Registration Issued

May 22, 2007

1. Name and Address of Applicant for Registration FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153		2. Product Is (Check one) EPA-Registered <input checked="" type="checkbox"/> New (not EPA-registered) <input type="checkbox"/> Attach EPA Form 8570-4, Certified Statement of Formule, fix new products.		EPA Registration Number 279-3313
		EPA Company Number 279		
4. Product Name Brigade 2EC Insecticide/Miticide		3. Active Ingredient(s) in Product Bifenthrin		
6. Type of Registration (Give details in item 12 or on a separate page, properly identified and attached to this form): <input type="checkbox"/> a. To permit use of a new product. <input checked="" type="checkbox"/> b. To amend EPA registrations for one or more of the following purposes: <input type="checkbox"/> (1) To permit use on additional crops or animals. <input checked="" type="checkbox"/> (2) To permit use at additional sites. <input type="checkbox"/> (3) To permit use against Additional pests. <input type="checkbox"/> (4) To permit use of additional application techniques or equipment. <input type="checkbox"/> (5) To permit use at different application rates. <input type="checkbox"/> (6) Other (specify below)		5. If this is a food/feed use, a tolerance or other residue clearance is required. Cite appropriate regulations in 40 CFR Part 180, 21 CFR Part 193, and/or 21 CFR Part 581. nonfood/nonfeed		
		7. Nature of Special Local Need (Check one) a. <input type="checkbox"/> There is no pesticide product registered by EPA for such use. b. <input checked="" type="checkbox"/> There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for use within the terms and condition of EPA registration. c. <input type="checkbox"/> An appropriate EPA-registered pesticide product is not available.		
		8. If this registration is an amendment to an EPA-registered product, is it for a "changed use pattern" as defined in 40 CFR 162.3(k)? <input type="checkbox"/> Yes (discuss in item 12 below) <input checked="" type="checkbox"/> No		
		9. Has an EPA Registration or Experimental Use Permit for Use of this chemical ever been: (Check applicable box(es)) <input checked="" type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Canceled <input type="checkbox"/> Suspended Previous Permit Action: <input type="checkbox"/> Registration <input type="checkbox"/> Experimental Use Permit <input type="checkbox"/> No Previous Permit Action		
10. Has a FIFRA Section 24(C) registration for this use of the product ever, by another State been (Check applicable box(es)) <input type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Revoked If any of the above are checked, list States in item 12 below. <input type="checkbox"/> No FIFRA Section 24(C) Action		11. Endangered Species Act- (Give details in item 12 or on a separate page, properly identified and attached to this form) Identify the counties where this pesticide will be used. If Statewide, indicate "all." Provide a list of Federally protected endangered/threatened species which occur in the areas of proposed use.		
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. Signature of Applicant or Authorized Representative Don Johnson <i>Don Johnson</i> Title State Registration Manager Telephone Number (816) 801 - 5613 Date May 21, 2007		12. Comments (10) This 24(c) is a Me-Too to the Capture 2EC SLN No. ID-900006 (11) All Counties in Idaho where Alfalfa and Clover are grown for seed.		
Determination by State Agency This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA as amended. To the best of our knowledge, the information above is correct, except as noted in "Comments" below or in attachments.				
Name, Title, and Address of State Agency Official George Robinson, Ag Section Mgr Idaho State Dept of Agriculture P.O. Box 7723 Boise, ID 83707 Title Ag Section Manager <i>George Robinson</i> Telephone Number (208) 332-8593 Date 5/22/2007		Comments (by State Agency Only) Very similar to SLN #ID-900006 Capture 2 EC on Alfalfa & Clover Grown for Seed		Received by EPA

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for the uses covered by the certified applicator's certification.

Brigade[®] 2EC
Insecticide/Miticide

EPA SLN NO.

ID-070009



FOR DISTRIBUTION AND
USE ONLY WITHIN THE
STATE OF IDAHO

EPA Reg. No. 279-3313

EMERGENCY CALLS: 800-331-3148

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING**

Crop	Pest	Rate of Application
Alfalfa Grown for Seed and Clover Grown for Seed	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

Directions for Use:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Brigade 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or in a minimum of 20 gallons of water by ground equipment. When applying by air, 1-2 quarts of emulsified oil may be substituted for 1-2 quarts of water in the finished spray.

This product may be applied through irrigation systems. Refer to the EPA registered label for chemigation directions.

Follow the spray drift precautions on the EPA registered label.

Restrictions / Precautions:

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Only apply as a pre-bloom or post-bloom spray only. Bees, used for pollination, must be removed from the field before a post-bloom application is made and should not be introduced into the field within 5 days of the pre-bloom application.

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per application.

Do not make more than 3 applications in a crop year.

Do not apply more than 19.2 ounces (0.3 lb. active) per acre per season. Maintain a minimum of 21 days between applications.

Do not cut current year's treated Alfalfa Seed or Clover Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed or Clover Seed crop.



FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Brigade2EC_24c_ID_Alfalfa-Clover_05-18-07

Brigade and **FMC** -FMC Trademarks
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Restrictions / Precautions (Continued):

Rotational crops may be planted no sooner than 30 days after last application.

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not cultivate within 10 feet of aquatic area so as to allow growth of a vegetative filter strip.

Nonfood and Nonfeed Site Conditions. For purposes of pesticide registration, all alfalfa seed and clover seed crop fields are considered nonfood and nonfeed sites for pesticide use and the following conditions shall be met:

- (a) No portion of the seed alfalfa or seed clover plant, including but not limited to seed screenings, green chop, hay, chaff, combine tailings, pellets, meal, whole seed and cracked seed, may be grazed, used, or distributed for food or feed purposes.
- (b) The seed conditioner shall keep records of individual growers' alfalfa and clover seed dirt weight and clean weight for three (3) years and shall furnish the records to the Director forthwith upon request.
- (c) All seed screenings shall be disposed of at a sanitary landfill, incinerator, or other equivalent disposal site or by a procedure approved by the Director.
- (d) The seed conditioner shall keep seed screening disposal records for three (3) years from the date of disposal and shall furnish the records to the Director forthwith, upon request. Disposal records shall consist of documentation from the disposal site and shall show the total weight of disposed screenings and date of disposal.
- (e) All alfalfa or clover seed grown or conditioned in this state shall bear a tag or container label which forbids the use of the seed for human consumption or animal feed.
- (f) No alfalfa or clover seed grown or conditioned in this state shall be distributed for human consumption or animal feed.
- (g) All portions of the seed alfalfa or seed clover plant, including but not limited to seed screenings, pellets, meal, whole seed and cracked seed may be composted. All composted material may be applied to agricultural crop land approved by the Director.

FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, WORKER PROTECTION STANDARD REQUIREMENTS AND PRECAUTIONS ON THE EPA REGISTERED LABEL.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF APPLICATION.



FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Brigade2EC_24c_ID_Alfalfa-Clover_05-18-07

Brigade and  -FMC Trademarks
©2007 FMC Corporation

For Reference Purposes Only

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certification.

EPA SLN NO.
ID-900006



FOR DISTRIBUTION
AND USE ONLY IN
IDAHO

Capture 2EC Insecticide-Miticide

For Agricultural or Commercial Use Only

EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING.

CROP	PEST	RATE OF APPLICATION
Seed Alfalfa Seed Clover	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment and a minimum of 20 gallons of water by ground equipment.

Make aerial or ground applications when the wind velocity favors on target product disposition (approximately 3 to 7 MPH). Do not apply when wind velocity exceeds 7 MPH.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. Boom length must not exceed 75% of wing span or rotor diameter.

Do not apply by ground equipment within 25 feet, or by air within 75 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not apply more than 6.4 ounces (0.1 lb active) per acre per treatment. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between Capture 2EC treatments.

(Continued next page)

Code 177 3/94

ID-900006

RESTRICTIONS:

Do not apply more than 19.2 ounces (0.3 lb. active) per acre per season.

Do not apply Capture 2EC or allow it to drift to blooming crops or weeds while bees are actively foraging in the treatment area.

Do not cut current year's treated Alfalfa Seed or Clover Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed or Clover Seed crop.

Treated Alfalfa Seed or Clover Seed is not to be used for sprouting.

All Alfalfa Seed or Clover seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for human or animal consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed or Clover Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed or Clover Seed screenings must be removed from the feed market.

Refer to the EPA registered label for information on chemigation.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED.

PERSONAL PROTECTIVE EQUIPMENT AND REENTRY INTERVALS ON THIS 24C OR ON THE BASIC LABEL MUST BE FOLLOWED.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

24(c) Registrant:

FMC Corporation
Agricultural Chemical Group
1735 Market Street
Philadelphia, PA 19103

ID-900006

Code 777 3/94



or the perimeter thereof, of the Clearwater-Snake River drainage within the boundaries of Latah, Lewis, Clearwater, and Nez Perce Counties in Idaho. (3-20-97)

602. -- 799. (RESERVED).

800. PESTICIDE USE ON ALFALFA SEED, CARROT SEED, ONION SEED, RADISH SEED, AND CLOVER SEED.

01. Nonfood and Nonfeed Site Conditions. For purposes of pesticide registration, all alfalfa seed, carrot seed, onion seed, radish seed, and clover seed crop fields are considered nonfood and nonfeed sites for pesticide use and the following conditions shall be met: (4-5-00)

a. No portion of the seed alfalfa, carrot seed, onion seed, radish seed, or seed clover plant, including but not limited to seed screenings, green chop, hay, chaff, combine tailings, pellets, meal, whole seed and cracked seed, may be grazed, used, or distributed for food or feed purposes. (4-5-00)

b. The seed conditioner shall keep records of individual growers' alfalfa, carrot, onion, radish, and clover seed dirt weight and clean weight for three (3) years and shall furnish the records to the Director forthwith upon request. (4-5-00)

c. All seed screenings shall be disposed of at a sanitary landfill, incinerator, or other equivalent disposal site or by a procedure approved by the Director. (3-23-98)

d. The seed conditioner shall keep seed screening disposal records for three (3) years from the date of disposal and shall furnish the records to the Director forthwith, upon request. Disposal records shall consist of documentation from the disposal site and shall show the total weight of disposed screenings and the date of disposal. (3-20-97)

e. All alfalfa, carrot, onion, radish, or clover seed grown or conditioned in this state shall bear a tag or container label which forbids the use of the seed for human consumption or animal feed. (4-5-00)

f. No alfalfa, carrot, onion, radish, or clover seed grown or conditioned in this state shall be distributed for human consumption or animal feed. (4-5-00)

g. All portions of the seed alfalfa, seed carrot, seed onion, seed radish, or seed clover plant, including but not limited to seed screenings, pellets, meal, whole seed and cracked seed may be composted. All composted material may be applied to agricultural crop land as approved by the Director. (4-5-00)

02. Exemption. Alfalfa seed grown for human consumption shall be exempt from the requirements of Subsection 800.01 provided: (3-20-97)

a. All pesticides used are labeled for use on alfalfa, and have established residue tolerances which allow food or feed use; and (3-20-97)

b. All producers maintain for three (3) years complete records of all pesticides applied as specified in Pesticide Use and Application Rules Subsection 150.02. These records shall be ready to be inspected, duplicated, or submitted when requested by the Director. (3-20-97)

801. -- 849. (RESERVED).

850. UNUSABLE PESTICIDES COLLECTION AND DISPOSAL.

01. Authority. The Director of the Idaho Department of Agriculture or designated agent may, if deemed necessary for the protection of the environment, take possession and dispose of canceled, suspended, or otherwise unusable pesticides. (3-20-97)

02. Participant Transfer of Product Ownership. Persons interested in transferring the ownership of



STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

DIVISION OF AGRICULTURAL RESOURCES

C.L. "BUTCH" OTTER
Governor
CELIA R. GOULD
Director

May 22, 2007

Document Processing Desk (SLN)
USEPA/OPP (7504C)
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Special Local Need Registration 24(c) for Brigade 2EC Insecticide/Miticide To Control Insects In Alfalfa and Clover Grown for Seed, Manufactured By FMC Corp., SLN #ID-070009

Dear Sir:

Enclosed is a Section 24(c) Special Local Need registration (SLN) for the use of Brigade 2EC Insecticide/Miticide to control insects in alfalfa and clover grown for seed, manufactured by FMC Corp., SLN #ID-070009. This SLN is very similar to an existing SLN, # ID-900006, for Capture 2 EC on alfalfa and clover grown for seed, also registered by FMC. Capture 2 EC is a formulation that will no longer be manufactured and distributed by FMC. Brigade 2 EC will replace Capture 2 EC in the marketplace. Alfalfa and clover seed growers still have a need for the SLN. This SLN will eventually replace the older SLN, once supplies are exhausted in Idaho. Once the Capture 2 EC product is no longer available, FMC will cancel SLN # ID-900006 (a copy of SLN #ID-900006 is enclosed for your reference).

The changes in the new label include the following:

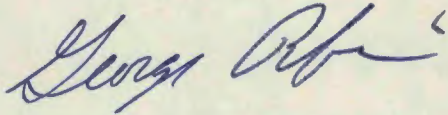
- A requirement to follow drift precautions on the federal label has been added.
- The precaution regarding exposure to bees has been revised for clarity.
- A plant-back restriction of 30 days for all crops has been added.
- Prohibitions regarding buffer zones around aquatic areas have been added.
- The non-food and non-feed site conditions section has been expanded.

A tolerance has not been established for the use of bifenthrin on alfalfa or clover. Since Idaho has a Pesticide Rule that prohibits the seed and plant parts from either of these seed crops from entering the food or feed channels (a copy of the applicable Rules are enclosed), this registration is being treated as a non-food/non-feed use.

SLN #ID-070009, Brigade 2 EC on Alfalfa and Clover Grown for Seed
May 22, 2007
Page 2 of 2

Based on the above information we believe the use of this product will result in an effective treatment without adverse environmental impacts. However, if you have any questions about this SLN contact me at 208-332-8593 or email me at grobinson@agri.idaho.gov.

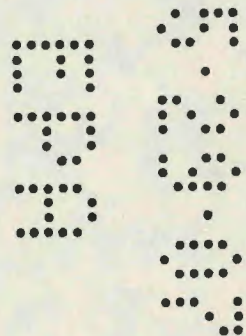
Sincerely,



George Robinson
Ag Section Manager

Enclosures

P.c.: Don Johnson, FMC
Ronda Hirnyck, U of I
Rose Kachadoorian, ODA
Steve Foss, WSDA





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

May 30, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Idaho State Department of Agriculture
P.O. Box 7723
Boise, ID 83707

ATTN: George Robinson, Manager

Dear State Agency:

The Office of Pesticide Programs acknowledges receipt of the Section 24(c) application/notification for ID070009.

The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24(c) applications/notifications it is necessary to us the correct mailing address. All new 24(c) applications should be sent to the following:

Document Processing Desk (SLN)
Office of Pesticide Programs -7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703)305-5780.

Sincerely,

A handwritten signature in black ink, appearing to read "B. L. P.", written over the word "Sincerely,".

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division